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September 13, 2010

**VIA ECF**

Magistrate Judge Viktor V. Pohorelsky  
United States District Court, Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Concrete Flotation Systems, Inc. v. Tadco Constr. Corp., et al.*  
Case No.: CV-07-319 (ARR) (VVP)

Dear Judge Pohorelsky:

We represent Plaintiff Concrete Flotation Systems, Inc. ("Concrete Flotation") with respect to the above-captioned matter. Pursuant to an order of this court dated August 5, 2010, the revised proposed Joint Pre-Trial Order was to be filed by September 3, 2010. On September 9, 2010, this Court granted Plaintiff's request for an extension until September 15, 2010 to file the proposed order. We reluctantly write to request a further extension to file that revised order until October 15, 2010.

Defendant U.S. Fire has prepared and provided to Concrete Flotation its draft Pre-Trial Order with list of exhibits. In the course of preparing the same for Concrete Flotation last week, Randy Steichen left the firm of Davis Wright Tremaine for another firm. Because Mr. Steichen is the long-time client contact with Concrete Flotation, it is unclear at the moment whether Davis Wright Tremaine will continue to represent Concrete Flotation in this litigation, either alone or as co-counsel. In the circumstances, we think the best course of action is to request a four-week extension of the time to file the proposed Joint Pre-Trial Order to resolve the question of Concrete Flotation's representation and, if necessary, permit Davis Wright Tremaine to withdraw as counsel and new counsel to appear.

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U.S. Fire has consented to this second request of Concrete Flotation for an extension to file these papers.

Sincerely,

Davis Wright Tremaine LLP



Christopher Robinson

cc: Adam Schwartz, Esq. (via fax – 973-993-8100)  
Bryan Ha, Esq. (via fax – 212-904-0299)